

\* E-filed 6/6/07 \*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. 07-00305 RMW
	)	
Plaintiff,	)	<b>ORDER EXCLUDING</b>
	)	<b>TIME FROM MAY 25, 2007 THROUGH</b>
v.	)	<b>JUNE 11, 2007 FROM</b>
	)	<b>CALCULATIONS UNDER THE</b>
TONY XIAOLIANG WANG,	)	<b>SPEEDY TRIAL ACT (18 U.S.C. § 3161)</b>
	)	
Defendant.	)	

Defendant Tony Xiaoliang Wang ("defendant") made his initial appearance before Magistrate Judge Howard R. Lloyd on May 25, 2007. Edward Hung, Esq. appeared on behalf of the defendant. Assistant United States Attorney Hanley Chew appeared for the government. Judge Lloyd scheduled the next appearance in this matter before Judge Ronald Whyte on June 11, 2007 at 10:00 a.m.

At the request of the parties, including the defendant, the Court enters this order documenting the exclusion of time from May 25, 2007 through June 11, 2007 from calculations under the Speedy Trial Act, 18 U.S.C. § 3161. The parties, including the defendant, agree and the Court finds and holds as follows:

1. The defendant understands and agrees to the exclusion of time for the period from May 25, 2007 through June 11, 2007 from calculations under the Speedy Trial Act, 18 U.S.C. § 3161 based upon the fact that discovery is in the process of being produced in this case and the need for the defense counsel to review that discovery, investigate further the facts of the present case and effectively prepare for trial. The government anticipate producing its initial production of discovery to begin during the week of May 28, 2007 and to continue on a rolling basis thereafter.

2. The attorney for defendant joins in the request to exclude time under the Speedy Trial Act, 18 U.S.C. § 3161, for the above reasons, and believes the exclusion of time is necessary for effective preparation of the defense; believes the exclusion is in the defendant's best interests; and further agrees that the exclusion under the Speedy Trial Act, 18 U.S.C. § 3161, should be from May 25, 2007 through June 11, 2007.

Given these circumstances, the Court finds that the ends of justice are served by excluding the period of May 25, 2007 through June 11, 2007 from calculations under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) & (B)(iv) outweigh the best interests of the public and the defendant in a speedy trial. Accordingly, the Court further orders that (1) the next appearance date before this Court is scheduled for June 11, 2007 at 10:00 a.m.; and (2) the time from May 25, 2007 through June 11, 2007 is excluded from calculations under the Speedy Trial Act, 18 U.S.C. § 3161.

IT IS SO STIPULATED.

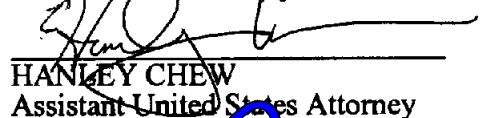
DATED: 5/29/07

WONG & ASSOCIATES

  
EDWARD HUNG

DATED: 5/29/07

SCOTT N. SCHOOLS  
United States Attorney

  
HANLEY CHEW  
Assistant United States Attorney

IT IS SO ORDERED.

DATED: 6/6/07

  
THE HONORABLE HOWARD R. LLOYD  
United States Magistrate Judge